

STATE MS. - DESOTO CO.
FILED

Aug 22 4 32 PM '00

BK 378 PG 92
W.F. FOLK.

WARRANTY DEED

This Deed of Conveyance is this day made by the undersigned MELL F. McCARVER, hereinafter referred to as the GRANTOR, and CHARLES KIRBY, hereinafter referred to as the GRANTEE, WITNESSETH THAT:

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by the GRANTEES to the GRANTORS, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged by the GRANTOR, MELL F. MCCARVER, the GRANTOR does hereby and by these presents sell, convey, and warrant unto CHARLES KIRBY, the GRANTEE, the hereinafter described real property located in DeSoto County, Mississippi, and being described as follows, to-wit:

Lot 123, Section "A", Buena Vista Lakes Subdivision as located in Section 13, Township 4, Range 8, DeSoto County, Mississippi, as found at Plat Book 4 Pages 34-37 in the Office of the Chancery Clerk of DeSoto County, Mississippi and to which plat reference is hereby made for a more particular description of said lot.

The foregoing covenant of warranty is made subject to rights of ways and easements for public roads and public utilities, subdivision and zoning regulations in effect in DeSoto County, Mississippi; and to any prior reservation or conveyance of minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel in, on and under the subject property; and to all restrictive covenants, building restrictions, and easements of record including but not limited to

those found with the recorded plat of said subdivision.

Taxes and assessments against said property for the year 2000 shall be prorated as of the date of this deed and taxes and assessments for the year 2001 shall be the sole responsibility of the GRANTEE, and/or his successor's in interest and all subsequent years are hereby excepted from the foregoing covenant of warranty.

The Grantor warrants that the above noted property is no part or parcel of his homestead. That likewise the Grantor has attached hereto as Exhibit "A" further information for chain of title purposes.

Possession shall be given upon delivery of this deed.

WITNESS the signature of the GRANTORS on this the 22nd day of August, 2000.

Mell F. Mc Carver

MELL F. MCCARVER

STATE OF MISSISSIPPI
COUNTY OF DESOTO

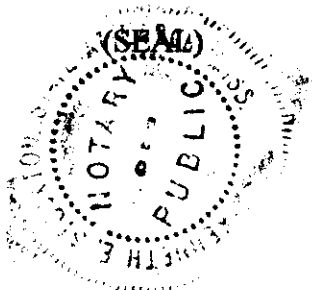
Personally appeared before me, the undersigned authority in and for the said county and state, on this the 22nd day of August, 2000, within my jurisdiction, the within named MELL F. MCCARVER, who acknowledged that he executed the above and foregoing instrument.

[Signature]

NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES SEPT 24, 2003



GRANTORS' ADDRESS:

3811 Allendale

Memphis, Tennessee 38111

RES. TEL.: 901-324-4525

BUS. TEL.: n/a

GRANTEES' ADDRESS:

737 White Goose Cove

Hernando, MS 38632

RES. TEL.: 662-429-2044

BUS. TEL.: n/a

Prepared by: KENNETH E. STOCKTON
ATTORNEY AT LAW
5 WEST COMMERCE STREET
HERNANDO, MS 38632
662-429-3469

20201

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE

MELVIN FRANK MCCARVER,

Plaintiff,

VS.

NO. D8354-1 R.D.

MARY EVELYN MCCARVER,

Defendant.

FINAL DECREE OF DIVORCE

This cause came on to be heard before the Honorable C. Neal Small, Chancellor, Part I, of the Chancery Court of Tennessee for the Tenth Chancery Division at Memphis, upon the original Complaint for Divorce filed by Melvin Frank McCarver, answer of the Defendant, appointment of an attorney ad litem, answer and report of the attorney ad litem, upon the testimony of the Plaintiff and his two witnesses;

From all of which it satisfactorily appears to the Court that the Defendant, Mary Evelyn McCarver, has been guilty of such cruel and inhuman treatment or conduct toward the Plaintiff as renders cohabitation unsafe and improper and that said cruel and inhuman treatment or conduct occurred during periods when the Defendant was lucid and prior to her permanent confinement to the facility operated by Quinco.

It further appearing to the Court that the Plaintiff should have all of the Defendant's right, title and interest in and to the real property located at 3811 Allandale, Memphis, Tennessee, more particularly described as follows:

Lot 333, of the Second Edition to Sherwood Forrest Subdivision, as per plat of record in Plat Book 13, Page 17, of the Register's Office of Shelby County, Tennessee, reference to which plat being hereby made for a more particular description of said property.

The Court further finds that all of the Defendant's right, title and interest in and to the real property known as Lot 123, Buena Vista Lakes Subdivision, DeSoto County, Mississippi, should be divested out of the Defendant and into the Plaintiff and the Guardian Ad Litem is directed to execute all instruments

necessary to transfer title to the Plaintiff.

The Court further finds that all other personal property in the possession of the Plaintiff, Melvin Frank McCarver, should be his property absolutely.

The Court further finds that the Plaintiff shall convey \$35,000.00 to the parties' two children, namely, Melba Fristick and Mary Ann Giannini, as Trustees for Mary Evelyn McCarver, said Trust to continue throughout the lifetime of Mary Evelyn McCarver or until the termination of her disability with the income and principal of said trust to be used only for the payment of medical insurance premiums should medical insurance be deemed feasible, medical care, medical services and medical confinement; that the Trustees be further authorized to pay up to \$60.00 per

*PR
DPA
LIV* quarter for other personal needs of Mary Evelyn McCarver. *Upon termination trust assets shall be paid to Mary McCarver or to her estate if terminated by death.*

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that Melvin Frank McCarver be and he is hereby awarded an absolute divorce from the Defendant, Mary Evelyn McCarver, and the parties are returned to all of the rights and privileges of unmarried persons.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all of the Defendant's right, title and interest in and to the following described real property be divested out of her and vested into Melvin Frank McCarver, said properties being described as follows:

- a. Lot 333, of the Second Edition to Sherwood Forrest Subdivision, as per plat of record in Plat Book 13, Page 17, of the Register's Office of Shelby County, Tennessee, reference to which plat being hereby made for a more particular description of said property.
- b. Lot 123, Buena Vista Lakes Subdivision, DeSoto County, Mississippi.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all other personal property in the possession of the Plaintiff, Melvin Frank McCarver, be and the same is hereby awarded to him free of any right, title and interest of the Defendant, Mary Evelyn McCarver.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a trust be and the same is hereby established and Melba Fristick and Mary Ann Giannini are hereby named Trustees and the Plaintiff is to

pay into said trust the sum of \$35,000.00 and the principal and interest of said trust shall be paid out in the following manner and no other, to-wit:

Shall pay medical insurance premiums if it is determined that medical insurance is feasible, medical care, medical services and medical confinement. Also authorized to pay up to \$60.00 per quarter for other personal needs of Mary Evelyn McCarver.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum of \$1,250.00 be paid to Bonnie Ragland, attorney for the Defendant, out of the trust fund heretofore set aside to Mary Evelyn McCarver.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant be and he is hereby charged with the costs of this cause including the guardian ad litem fee to David Harris, Attorney, which fee is hereby set at \$1,000.00

Neal Small
CHANCELLOR

5-19-83
DATE

L. E. VAN EATON
Attorney for Plaintiff

BONNIE RAGLAND
Attorney for Defendant

DAVID J. HARRIS
Guardian Ad Litem

Craig Powell